Summer 2013 **ON-LINE** **Professor Biernat**

PROFESSIONAL RESPONSIBILITY

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Course Objectives:
The objective of this course is to give students an understanding of the law that governs the conduct of lawyers. The focus will be on the ABA Model Rules of Professional Conduct and the ABA Model Code of Judicial Conduct. The course will emphasize the impact of these rules on the practice of law and procedures available for improvement of the legal profession. The course will compare selected Model Rules to the actual rules adopted by Minnesota and other states.

Learning Outcomes:

Students should be able to demonstrate an understanding of the ethical rules that govern the profession; acquire the knowledge and skills required to competently represent one's clients; articulate the roles lawyers play in promoting justice, improving the legal profession, and serving the community; solve problems in innovative, integrative, analytical, and ethical norms.

Process:
Prior to the first day of class, you will receive an e-mail that will give you the TWEN password. Once on TWEN you can register for CALI and do the Test Lesson to make sure that your computer settings are correct. The actual lessons will be posted on Tuesday, May 28.

There will be no scheduled classes. You will be required to work through weekly lessons and engage in group discussions. You will do both on your own time. There will be 37 lessons that you will be required to complete, 28 of which are based on readings from the required casebook and nine are modified standard CALI lessons. The lessons are all written through CALI so you will have to log on to TWEN and then log on to CALI through the lesson links provided on TWEN. Information about registering for CALI is on the TWEN site.

Make sure that you do the Test Lesson to insure that your settings are correct.

This course attempts to require as many hours of work as other two credit courses, with the difference being not having class time. The assignments and completion dates are posted on TWEN. Remember that in the summer you will do in 8 weeks the work normally done in a regular 14 week semester. Therefore, you will be doing five lessons each week.

Required Texts:

Morgan and Rotunda, Professional Responsibility (11th), Foundation Press.
Rotunda and Dzienkowski, Professional Responsibility: A Student's Guide, 2012-13 Edition, ABA, Thomson/West.
Optional, 2007 ABA Model Code of Judicial Conduct, ABA (also on TWEN)

The weekly reading assignments will not be long. However, I hope that you will contemplate the readings thoroughly while you are going through the respective lessons. The Student's Guide serves as a resource for additional information on the individual rules since we will not have class time for extensive discussion. The Guide contains both the Rules as well as detailed explanations

that will enable you to understand the rationale and policies behind each of them. When a Rule is part of the reading assignment you should read the Rule and related official Comments. The comparison with the Model Code is largely historical and not important. You are not required to read all of the material in the guide that supports the Rule but it might help to clarify certain areas.

Office Hours and Communication:
The primary means of communication will be via e-mail. Office hours will be posted. However, I will be in the office at other times. Feel free to stop by whenever my door is open.

Grading and Attendance:
Your grade will be based primarily on the final examination, which will be closed-book and self-scheduled at the law school. The examination will be half essay and half multiple choice. You will also be required to complete all lessons that will be offered through TWEN/CALI and actively participate in group discussions. You must complete all assignments on time and will lose points if you are late.

The lessons will be graded on a pass/no pass basis. A passing grade is based on a timely completion that meets basic standards. You will not be graded on the actual numerical score given for each lesson. But, the essay responses must meet basic standards. You will have the opportunity to redo any lessons that do not meet these standards. You could be dropped from the course if you do not complete the lessons on time or fail to meet minimal standards, including active participation in the weekly discussion. In addition, your final grade may be increased for superior work on the essays or decreased for work that is minimal.

Weekly Discussion:
Each week I will post a short question or problem on TWEN in the Discussion link. You are required to participate each week by answering the question. In addition, I expect that you will each make a good faith effort to keep the discussion going by offering thoughtful responses to your peers' answers and responses. Because there will not be opportunities to engage in traditional class discussion, this is your chance to interact with your peers and gain additional insight about the material. I also encourage you to form study groups so that you can get the maximum benefit from this course.

Your Ethics
This course will be on-line and there may be ways to collaborate or there may be ways to "beat the system". That is the reason why your raw scores on the lessons will not count toward your grade. In addition, I want you to give the answer that you believe is correct. If many students give the wrong answer there may be a flaw with the lesson. The bottom line is that you need to know and understand this material to be a successful lawyer and to keep your license to practice law. It does say something about character if one decides to cut corners in an ethics course.

Use of Computers:

Faculty members are required to post their policy on the use of computer in the classroom. Obviously, you need to use computers for this class. But, my requirement is that you do not do your lessons or discussion while in a live law school class.
Information Memo

Before classes start on Tuesday, May 28, students will receive an e-mail with detailed instructions on the course procedures along with the password for TWEN. The TWEN site will provide you with a link to the Lessons for the first week

Advance Assignment:

All assignments are posted on the TWEN site. The first five lessons are due at the end of Tuesday, June 4 (midnight).For the first lesson, the assignment is Morgan, pp 1-32-47, Problem 1, 32-46; and PR: A Student's Guide, Model Rules 8.1, 8.4, and 5.5. The advance reading assignments for the remaining lessons are on the opening page of the lesson and on the Assignment Sheet on TWEN. The first discussion post will be by the end of Wednesday, June 5.